

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 08-00160 SI

Plaintiff,

**ORDER RE: DEFENDANT FLEET'S
MOTION FOR A BILL OF
PARTICULARS and MOTION TO
COMPEL DISCOVERY**

v.

JOHN COTA and
FLEET MANAGEMENT LTD.,

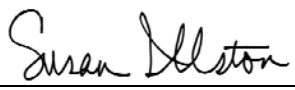
Defendants.

Defendant Fleet Management moves for a bill of particulars and to compel various items of discovery. Defendant John Cota joins the motions. On October 22, 2008, the Court heard oral argument on these motions. Having considered the arguments of the parties and the papers submitted, the Court hereby DENIES defendants' motion for a bill of particulars and GRANTS IN PART defendants' motion to compel.

Defendants' motion to compel is GRANTED IN PART as to defendants' request for the portions of the Grand Jury transcript containing a witness's testimony about statements made by members of the Cosco Busan crew. At oral argument, government counsel agreed to provide clear responses to defendants' questions concerning whether specific documents exist in the government's files and whether they have been produced to defendants. Defendants' motion to compel as to all other matters is DENIED.

IT IS SO ORDERED.

Dated: October 27, 2008



SUSAN ILLSTON
United States District Judge